

Patent
42534-8300REMARKS

Claims 1-12 have been allowed by the Office Action of April 7, 2005.

Claims 14-16 would be allowed if rewritten in independent form, however it is requested they be held in abeyance until the following is considered.

In response to the Office Action's rejection of Claim 13 under 35 U.S.C. § 102(e) as being anticipated by Tohyama (U.S. Patent App. No. 2003/0213455 A1), a patent application assigned to the present Applicant, the Applicant provides herein certified English translations of Japanese Patent Application Nos. 2002-250245 and 2002-250246 to establish priority dates of August 29, 2002, under 35 U.S.C. § 119. Our Application's priority date of August 29, 2002 is earlier than the May 19, 2003 filing date for Tohyama, and accordingly moots Tohyama as a prior art reference.

Furthermore, the Office Action also rejected Claim 13 under 35 U.S.C. § 102 (f) because the applicant did not invent the claimed subject matter. However, Figures 8, 9A, and 9B, which the Office Action cited as prior art is only prior art if Applicant does not carry its burden of filing certified copies of its priority documents. As can be seen in ¶ 5 in our Specification, Figures 8, 9A, and 9B derive its source from Japanese Patent Application No. 2002-144695. Japanese Patent Application No. 2002-144695, however, is the Japanese patent application for Tohyama as evidenced by Tohyama's listing of Japanese Patent Application No. 2002-144695 as part of their Foreign Application Priority Data.

The Applicant is including in this Amendment relevant drawings from Japanese Patent Application No. 2002-144695 for further confirmation that it is the Japanese patent application of Tohyama. As can be seen, Figure 2 on page 2 of the Japanese Patent Application No. 2002-144695 corresponds with Figure 3 of Tohyama and Figure 8 of our Application. Also, the

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topmost drawing in Figure 5 on page 5 of the Japanese Patent Application No. 2002-144695 corresponds with Figure 4 in Tohyama and Figure 9A of our application. Figure 9B while not disclosed in the Japanese Patent Application No. 2002-144695 or Tohyama is simply the longitudinal sectional side view of the cam disclosed in Figure 9A.

Furthermore, Claim 13 is materially different from Figures 8, 9A, and 9B of this related art. Claim 13 results from the discovery that by removing parts of the outer peripheral wall 26 of the annular recess 13 so that there is a plurality of openings 27 which penetrate radially to the outer peripheral wall of the cam, cam pawls 11 can be formed, thus reducing the need for additional cam pawls to be added that extend from the peripheral wall. Therefore, it is possible to enlarge the outer peripheral wall 11 of the annular recess 13 outwardly by as much as the thickness of the protruded cam pawls which would otherwise be formed. As a result, a larger damper spring 14 with a larger wire diameter and a larger winding diameter can be received in the annular recess 13. This results in a damper spring 14 which has higher shock-absorbing and force-storing capabilities, see our specification page 16, ¶ 48.

In contrast, Figures 8, 9A, and 9B of the related art illustrate a cam which has cam pawls 40 protruding from the outer peripheral wall 47. Figures 3, 4, and 5 of our invention are supplied below in a side-by-side presentation with Figures 8, 9A, and 9B to illustrate the difference. The openings 27 in our invention is colored yellow. The outer peripheral wall 26 in our invention and the outer peripheral wall 47 in the related art is colored red. The holding hole 18 in our invention and opening 38 in the related art which represent the outer-most diameter of the damper spring 14 and 34 are colored green. The cam pawls 40 which protrude from the outer peripheral wall 47 in the related art are colored blue. As can be seen below, the outer peripheral wall 26 combines with the openings 27 to form the cam pawls 11 in our invention. With respect

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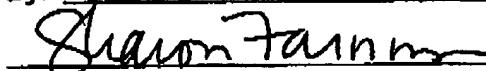
In view of the explanations set forth above, independent Claim 13 has novelty and inventiveness over Figures 8, 9A, and 9B even if it represents prior art.

It is believed that the case is now in condition for allowance, and an early notification of the same is requested.

If the Examiner believes that a telephone interview will help further the prosecution of this case, he is respectfully requested to contact the undersigned attorney at the listed telephone number.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 6, 2005.

By: Sharon Farnus

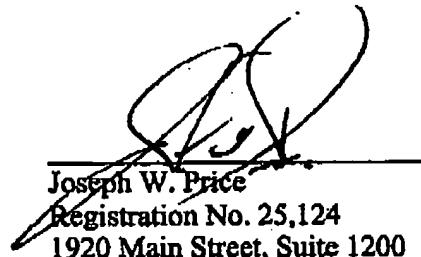


Signature

Dated: July 6, 2005

Very truly yours,

SNELL & WILMER L.L.P.



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to the related art, the cam pawls 40 protrude from the outer peripheral wall 47. This is further illustrated by the holding hole 18 in our invention and opening 38 in the related art next to the outer peripheral walls. Thus, our invention can house a damper spring of the same size as the related art using a smaller diameter because it does not have the cam pawls 40 protruding from the outer peripheral wall 47 in the related art. Therefore, if our invention is increased to the same diameter as the related art, our invention can house a damper spring that has a diameter increased by as much as the width of the cam pawls 40 in the related art. The larger damper spring would thus have higher shock absorbing and force-absorbing capabilities.

RELATED ART

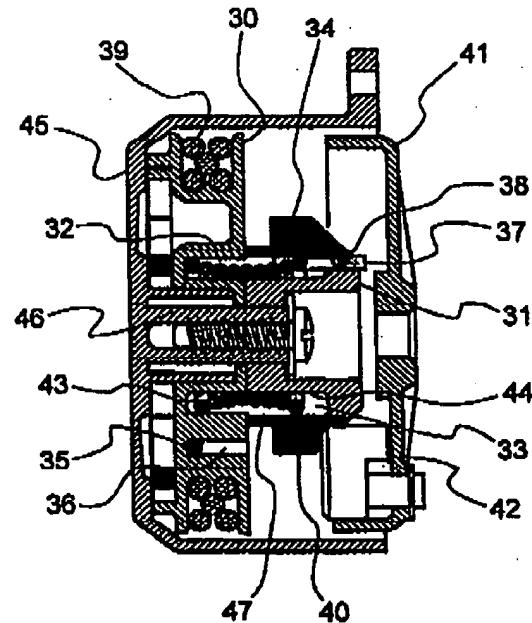
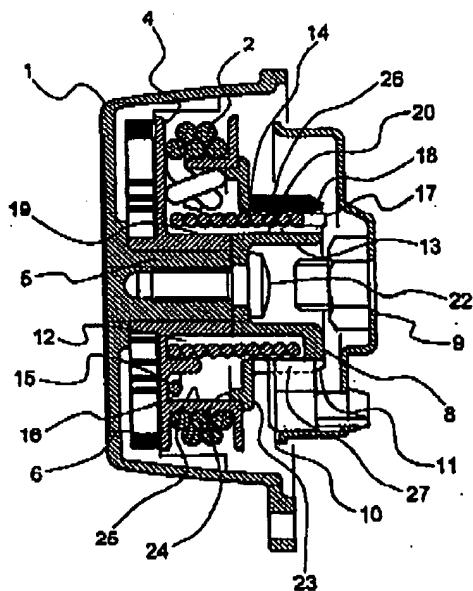
FIG. 8**FIG. 3**

Figure 1: Sectional side elevation view with our invention on the left and the related art on the right. The green holding hole 18 in our invention and opening 38 (filled by end portion 37) in the related art represent the end point of the diameter of the damper spring 14 and 34 respectively. Note that the red outer peripheral wall 26 of our invention and the yellow openings 27 combine to form the cam pawls 11 in our invention. In the related art, however, the blue cam pawls 40 jut out from the red outer peripheral wall 47.

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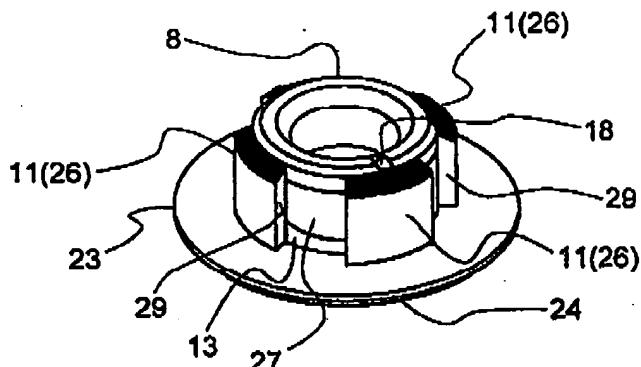
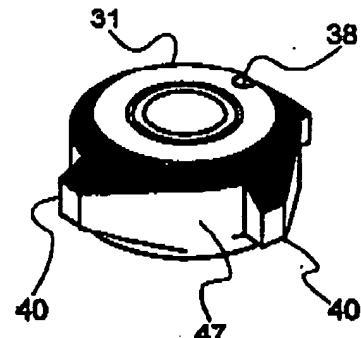
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42534-8300**FIG. 4.****FIG. 9A****RELATED ART**

Figure 2: Perspective view with our invention on the left and the related art on the right. The green holding hole 18 in our invention and opening 38 in the related art is fixed next to the red outer peripheral walls 26 and 47. Note that the red outer peripheral wall 26 of our invention and the yellow openings 27 combine to form the cam pawls 11 in our invention. In the related art, however, the blue cam pawls 40 jut out from the red outer peripheral wall 47.

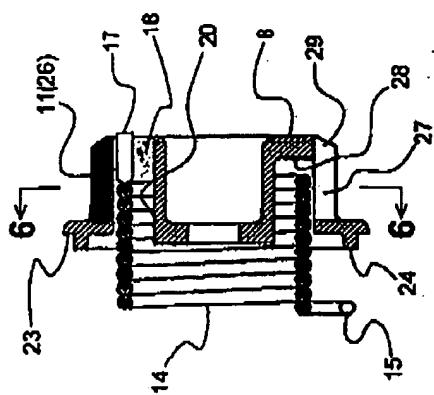
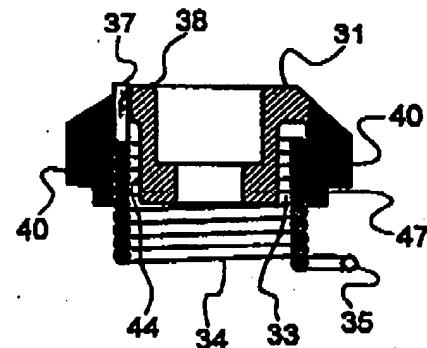
FIG. 5**FIG. 9B****RELATED ART**

Figure 2: A longitudinal sectional view of the cam with our invention (rotated 90° counter-clockwise) on the left and the related art on the right. Again, the green holding hole 18 in our invention and opening 38 (filled by end portion 37) in the related art is fixed next to the red outer peripheral walls 26 and 47. Note that the red outer peripheral wall 26 of our invention and the yellow openings 27 combine to form the cam pawls 11 in our invention. In the related art, however, the blue cam pawls 40 jut out from the red outer peripheral wall 47.